



05-17-02

1642/577

Docket No. 2026-4269US1

Section/Andt D/#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In application of : WANG, R-F, et al.

Serial No. : 09/529,206

Art unit : 1577

Filed : June 13, 2000

Examiner : DAVIS, N.A.

For : NOVEL HUMAN CANCER ANTIGEN, ESO-1/CAG-3 AND GENE
ENCODING SAME

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

Commissioner for Patents
Washington, D.C. 20231

Sir:

This amendment is provided in response to the restriction requirement dated April 22,
2002.

IN THE CLAIMS

Please amend claim 4.

slub
D1 E2 R1.126 3/4 (amended) A cancer peptide consisting of SEQ. ID NO: 4 or portion or
derivative thereof, wherein said portion is immunologically recognized by antigen specific
cytotoxic T lymphocytes.

REMARKS

The Examiner has required restriction under 35 U.S.C. §121 and 35 U.S.C. §372.

With all due respect, applicants disagree that the Examiner's restriction requirement is
proper. However, in order to facilitate prosecution and to avoid a holding of non-responsiveness,